

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

EXPRESS MOBILE, INC.,

Plaintiff,

v.

GOOGLE LLC,

Defendant.

Civil Action No. 6:20-cv-00804-ADA

Jury Trial Demanded

**DECLARATION OF MARC BELLOLI IN SUPPORT OF PLAINTIFF’S RESPONSE IN
OPPOSITION TO DEFENDANT’S MOTION TO TRANSFER VENUE**

1. I am a partner of the law firm Feinberg Day Kramer Alberti Lim Tonkovich & Belloli LLP (“Feinberg Day”), counsel of record for plaintiffs. I make this declaration based on my own personal knowledge, and based on records maintained by Feinberg Day in the ordinary course of business, to which I have access and upon which I rely in the course of performing my duties to Feinberg Day and its clients, including plaintiff Express Mobile, Inc. (“Express Mobile” or “Plaintiff”).

2. Attached hereto as **Exhibit 1** is a true and correct copy of the LinkedIn profile of Google employee Sarah Spagnol.

3. Attached hereto as **Exhibit 2** is a true and correct copy of the LinkedIn profile of Google employee Kirk Steele.

4. Attached hereto as **Exhibit 3** is a true and correct copy of the LinkedIn profiles of Google employees Hayley Weycer, Fred Eggert, Lauren Roche, James Leonard, Claire Levatino, Mark Strama and Jason Hinds.

5. Attached hereto as **Exhibit 4** is a true and correct copy of the LinkedIn profiles of Google employees James Olwell, Nathan D., Nalani Belaramani, Dale Markowitz, Temitope

Ajagbe, Carolina Hernandez, Nolan Corcoran, Jovan Ivanoski, Jianfei Hua, Turgay Senlet, Abhinav Deep Singh, Dan Lorenc, Zach Wilson, James Ferreira, Andrew Tucker, Kadeem Trimble, Dre Coldwell, Miranda Huang, Kesann Walrond-McClean, Khyathi Balusu, Xuezhu Zhang, Steven Carter, Austin Kyker, William Magro, Nazaret Ramirez, Eleanor Avrunin, Aurelio Christian, Lina Yang, Erik Haddad, Qing Zhang, Tommy Messbauer, Alex Davis, William Gerber, Mohammad Hossain, Jon Simpkins, Ryan McNair, Joey Kasnicki, Oliver Yu, Ivan Oropeza, Kevin Cheng, David Fawcett, Mossab Alsadig, Katherine Prutz, Tom Li, Cankut Guven, Stepan Riha, Jorge Munoz, Evan Greco, Catherine Perez, Andrew Matsusaka, Chethan Rajkumar, Christopher Sachse, Kasturirangan Parthasarathy, Tanner Mitchell, Garrett Openshaw, Joshua Clark, Parag Teredesai, Jorge Limon Cabrera, Tyler O'Meara, Michael Zetune, Aaron Michales, Barbara Davila, Vamsi Vishnumhotla, Justin Oliver, Sravya Chelikani, Adam Newman, Webbin Chen, Brian Berke, Trevor Pace, Tianyun Duan, Sarah Gillett, Sumathi Swain, Michael Kinkley, and Edward Villalba.

6. Attached hereto as **Exhibit 5** is a true and correct copy of <https://www.google.com/about/datacenters/locations/midlothian/>.

7. Attached hereto as **Exhibit 6** is a true and correct copy of <https://www.google.com/about/datacenters/locations/>.

8. Attached hereto as **Exhibit 7** is a true and correct copy of <https://www.oracle.com/corporate/contact/field-offices.html>.

9. Attached hereto as **Exhibit 8** is a true and correct copy of <https://investors.att.com/resources/contacts>.

10. Attached hereto as **Exhibit 9** is a true and correct copy of <https://www.opentext.com/about/office-locations/usa/texas-austin>.

11. Attached hereto as **Exhibit 10** is a true and correct copy of

<https://www.research.ibm.com/labs/austin/>.

12. Attached hereto as **Exhibit 11** is a true and correct copy of <https://careers.google.com/locations/austin/>.

13. Attached hereto as **Exhibit 12** is a true and correct copy of <https://www.blackberry.com/us/en/company/blackberry-office-locations>.

14. Attached hereto as **Exhibit 13** is a true and correct copy of United States Patent No. 6,219,680.

15. Attached hereto as **Exhibit 14** is a true and correct copy of United States Patent No. 6,185,587.

16. Attached hereto as **Exhibit 15** is a true and correct copy of Shopify Inc. and Shopify (USA), Inc.'s invalidity contentions filed in the United States District Court for the District of Delaware, *Shopify Inc. v. Express Mobile, Inc.*, No. 19-439-RGA.

17. Attached hereto as **Exhibit 16** is a true and correct copy of United States Patent No. 6,175,842.

18. Attached hereto as **Exhibit 17** is a true and correct copy of United States Patent No. 5,842,020.

19. Attached hereto as **Exhibit 18** is a true and correct copy of United States Patent No. 5,905,985.

20. Attached hereto as **Exhibit 19** is a true and correct copy of United States Patent No. 6,990,654.

21. Attached hereto as **Exhibit 20** is a true and correct copy of United States Patent No. 6,178,432.

22. Attached hereto as **Exhibit 21** is a true and correct copy of United States Patent No. 6,230,185.

23. Attached hereto as **Exhibit 22** is a true and correct copy of BigCommerce Inc.'s invalidity contentions filed in the United States District Court for the Eastern District of Texas, *Express Mobile, Inc. v. BigCommerce, Inc.*, No. 17-cv-0160-JRG.

24. Attached hereto as **Exhibit 23** is a true and correct copy of Magento Inc.'s invalidity contentions filed in the United States District Court for the Northern District of California, *X Commerce Inc., D/B/A Magento, Inc. v. Express Mobile, Inc.*, No. 3:17-cv-02605-RS.

25. Exhibits 7-23 demonstrate that the references in the table below are alleged prior art in other cases involving the patents-in-suit. These references were developed by companies with headquarters and/or offices in this District.

Reference	Company	Western District of Texas Office
U.S. Pat. No. 6,219,680	International Business Machines Corporation	11501 Burnet Road Austin, TX 78758
U.S. Pat. No. 5,842,020	Oracle America, Inc.	2300 Oracle Way Austin, TX 78741
U.S. Pat. No. 6,175,842	AT&T Inc.	9505 Arboretum Blvd Austin, TX 78759
U.S. Pat. No. 5,905,985	International Business Machines Corporation	11501 Burnet Road Austin, TX 78758
U.S. Pat. No. 6,990,654	Oracle America, Inc.	2300 Oracle Way Austin, TX 78741
U.S. Pat. No. 6,178,432	Cisco Systems, Inc.	12515-3 Research Park Loop Austin, Texas 78759
U.S. Pat. No. 6,230,185	Open Text Corporation	1301 S. Mopac Expressway, Suite 150 Austin, TX 78746
U.S. Pat. No. 8,667,415 U.S. Pat. No. 6,101,509	Apple Inc.	<i>In re Apple</i> , 979 F.3d 1332, 1337-38, 1343 (Fed. Cir. 2020)

26. Attached hereto as **Exhibit 24** is a true and correct copy of the February 12, 2021 Declaration of Steven H. Rempell.

27. Attached hereto as **Exhibit 25** is a true and correct copy of the January 22, 2021

Declaration of Ken Brown.

28. Attached hereto as **Exhibit 26** is a true and correct copy of the February 12, 2021

Declaration of David Chrobak.

29. Attached hereto as **Exhibit 27** is a true and correct copy of the February 12, 2021

Declaration of Cheryl Kudelka.

30. Attached hereto as **Exhibit 28** is a true and correct copy of the February 12, 2021

Declaration of Jeff Samuelson.

31. Attached hereto as **Exhibit 29** is a true and correct copy of
<https://workspace.google.com/pricing.html>.

32. I declare under penalty of perjury under the laws of the United States of America
that the foregoing is true and correct, to the best of my knowledge and belief.

Dated: February 15, 2021

/s/ Marc Belloli
Marc Belloli